

State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0329/2

RLR:bjk:ph

Lstay

DOA:.....Wavrunek, BB0056 - Penalty surcharge appropriations

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

RMR

DN

SA -

do not gen.

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

CRIMES

LAW ENFORCEMENT

Under current law, people who are fined or subject to a forfeiture for violating a state law or local ordinance generally must also pay a surcharge equal to 26 percent of the fine or forfeiture. Current law appropriates receipts from the surcharge to an appropriation account for DOJ, and transfers specified amounts from that account to fund various programs.

This bill provides that any money that is transferred from the penalty surcharge receipts appropriation account and that remains unencumbered at the end of a fiscal year shall revert back to the penalty surcharge receipts appropriation account.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.255 (1) (kd) of the statutes is amended to read:

20.255 (1) (kd) *Alcohol and other drug abuse program.* The amounts in the schedule for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3). All

moneys transferred from the appropriation account under s. 20.455 (2) (i) 4. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

SECTION 2. 20.255 (2) (kd) of the statutes is amended to read:

20.255 (2) (kd) *Aid for alcohol and other drug abuse programs.* The amounts in the schedule for the purpose of s. 115.36 (3). All moneys transferred from the appropriation account under s. 20.455 (2) (i) 5. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

SECTION 3. 20.410 (1) (kh) of the statutes is amended to read:

20.410 (1) (kh) *Victim services and programs.* The amounts in the schedule for the administration of victim services and programs. All moneys transferred from the appropriation account under s. 20.455 (2) (i) 5m. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

SECTION 4. 20.410 (1) (kp) of the statutes is amended to read:

20.410 (1) (kp) *Correctional officer training.* The amounts in the schedule to finance correctional officers training under s. 301.28. All moneys transferred from the appropriation account under s. 20.455 (2) (i) 6. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

SECTION 5. 20.455 (2) (i) (intro.) of the statutes is amended to read:

20.455 (2) (i) ~~Penalty surcharge, receipts,~~ (intro.) The amounts in the schedule for the purposes of s. 165.85 (5) (b) and for crime laboratory equipment. All moneys received from the penalty surcharge on court fines and forfeitures under s. 757.05 (2) and all moneys that revert to this appropriation account from the appropriations under pars. (j), (ja), and (jb) and the appropriations specified in subds. 1. to 16. shall be credited to this appropriation account. Moneys may be transferred from this paragraph to pars. (j), (ja), and (jb) by the secretary of administration for expenditures based upon determinations by the department of justice. The following amounts shall be transferred to the following appropriation accounts:

SECTION 6. 20.455 (2) (j) of the statutes is amended to read:

20.455 (2) (j) *Law enforcement training fund, local assistance.* The amounts in the schedule to finance local law enforcement training as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) for the purpose of this appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under par. (i).

SECTION 7. 20.455 (2) (ja) of the statutes is amended to read:

20.455 (2) (ja) *Law enforcement training fund, state operations.* The amounts in the schedule to finance state operations associated with the administration of the law enforcement training fund and to finance training for state law enforcement personnel, as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) for the purpose of this appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under par. (i).

SECTION 8. 20.455 (2) (jb) of the statutes is amended to read:

all moneys received as fee payments under 50 175035(2)(h) and

FNS 3-A

note: bud

Intro Criminal Justice Program Support

20.455 (2) (jb) *Crime laboratory equipment and supplies.* The amounts in the schedule for the maintenance, repair, upgrading, and replacement costs of the laboratory equipment, and for supplies used to maintain, repair, upgrade, and replace that equipment, in the state and regional crime laboratories. All moneys transferred from par. (i) for the purpose of this appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under par. (i).

SECTION 9. 20.455 (2) (kc) of the statutes is amended to read:

20.455 (2) (kc) *Transaction information management of enforcement system.* The amounts in the schedule for payments for a lease with option to purchase regarding computers for the transaction information for the management of enforcement system. All moneys transferred from the appropriation account under par. (i) 1. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under par. (i).

SECTION 10. 20.455 (2) (ke) of the statutes is amended to read:

20.455 (2) (ke) *Drug enforcement intelligence operations.* The amounts in the schedule for drug enforcement tactical and strategic intelligence units. All moneys transferred from the appropriation account under s. 20.455 (2) (i) 9. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under par. (i).

SECTION 11. 20.455 (2) (kp) of the statutes is amended to read:

20.455 (2) (kp) *Drug crimes enforcement; local grants.* The amounts in the schedule for grants to local multijurisdictional groups to enforce prohibitions related

to controlled substances. All moneys transferred from the appropriation account under s. 20.455 (2) (i) 3. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under par. (i).

SECTION 12. 20.455 (5) (kp) of the statutes is amended to read:

20.455 (5) (kp) *Reimbursement to counties for victim-witness services.* The amounts in the schedule for the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in providing services to victims and witnesses of crime. All moneys transferred from the appropriation account under s. sub. (2) (i) 11. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under sub. (2) (i).

SECTION 13. 20.505 (1) (kq) of the statutes is amended to read:

20.505 (1) (kq) *Justice information systems development, operation and maintenance.* The amounts in the schedule for the purpose of developing, operating and maintaining automated justice information systems under s. 16.971 (9). All moneys transferred from the appropriation account under s. 20.455 (2) (i) 12. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

SECTION 14. 20.505 (6) (k) of the statutes is amended to read:

20.505 (6) (k) *Law enforcement programs and youth diversion — administration.* The amounts in the schedule for administering grants for law enforcement assistance and for administering the youth diversion program under s. 16.964 (8). All moneys transferred from the appropriation account under s. 20.455

(2) (i) 13. shall be credited to this appropriation account. Notwithstanding s. 20.001

(3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

SECTION 15. 20.505 (6) (kc) of the statutes is amended to read:

20.505 (6) (kc) *Grants for digital recording of custodial interrogations.* The amounts in the schedule for grants to law enforcement agencies under s. 16.964 (10) for equipment or training used to digitally record custodial interrogations. All moneys transferred from the appropriation account under s. 20.455 (2) (i) 16. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

SECTION 16. 20.505 (6) (kj) of the statutes is amended to read:

20.505 (6) (kj) *Youth diversion program.* The amounts in the schedule for youth diversion services under s. 16.964 (8) (a) and (c). All moneys transferred from the appropriation account under s. 20.455 (2) (i) 8. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

SECTION 17. 20.550 (1) (kj) of the statutes is amended to read:

20.550 (1) (kj) *Conferences and training.* The amounts in the schedule to sponsor conferences and training under ch. 977. All moneys transferred from the appropriation account under s. 20.455 (2) (i) 15. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

(END)

D-note

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0329/3ins

RLR:.....

Ljk

1

Ins 3-a

****NOTE: This is reconciled s. 20.455 (2) (i) (intro.) This SECTION has been affected by drafts with the following LRB numbers: 0329 and 1374.

QA
LRB-
1/2
LRB-

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0329/3dn

RLR:.....

6/2

Date

12
1
This draft reconciles LRB-0329 and LRB-1374. All of these drafts should continue to appear in the compiled bill.

Robin Ryan
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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0329/3dn
RLR:hjk:md

January 30, 2009

This draft reconciles LRB-0329/2 and LRB-1374/1. All of these drafts should continue to appear in the compiled bill.

Robin Ryan
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State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0329/3

RLR:bjk:md

+RPN → +WLj

DOA:.....Wavrunek, BB0056 - Penalty surcharge appropriations

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

D-N

(see p 6)

Do Not Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

CRIMES

LAW ENFORCEMENT

Under current law, people who are fined or subject to a forfeiture for violating a state law or local ordinance generally must also pay a surcharge equal to 26 percent of the fine or forfeiture. Current law appropriates receipts from the surcharge to an appropriation account for DOJ, and transfers specified amounts from that account to fund various programs.

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The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 20.255 (1) (kd) of the statutes is amended to read:

3 20.255 (1) (kd) *Alcohol and other drug abuse program.* The amounts in the
4 schedule for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3). All

1 moneys transferred from the appropriation account under s. 20.455 (2) (i) 4. shall be
2 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
3 unencumbered balance on June 30 of each year shall revert to the appropriation
4 account under s. 20.455 (2) (i).

5 **SECTION 2.** 20.255 (2) (kd) of the statutes is amended to read:

6 20.255 (2) (kd) *Aid for alcohol and other drug abuse programs.* The amounts
7 in the schedule for the purpose of s. 115.36 (3). All moneys transferred from the
8 appropriation account under s. 20.455 (2) (i) 5. shall be credited to this appropriation
9 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30
10 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

11 **SECTION 3.** 20.410 (1) (kh) of the statutes is amended to read:

12 20.410 (1) (kh) *Victim services and programs.* The amounts in the schedule for
13 the administration of victim services and programs. All moneys transferred from the
14 appropriation account under s. 20.455 (2) (i) 5m. shall be credited to this
15 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
16 balance on June 30 of each year shall revert to the appropriation account under s.
17 20.455 (2) (i).

18 **SECTION 4.** 20.410 (1) (kp) of the statutes is amended to read:

19 20.410 (1) (kp) *Correctional officer training.* The amounts in the schedule to
20 finance correctional officers training under s. 301.28. All moneys transferred from
21 the appropriation account under s. 20.455 (2) (i) 6. shall be credited to this
22 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
23 balance on June 30 of each year shall revert to the appropriation account under s.
24 20.455 (2) (i).

25 **SECTION 5.** 20.455 (2) (i) (intro.) of the statutes is amended to read:

1 20.455 (2) (i) ~~Penalty surcharge, receipts~~ Criminal justice program support.
2 (intro.) The amounts in the schedule for the purposes of s. 165.85 (5) (b) and for crime
3 laboratory equipment. All moneys received from the penalty surcharge on court
4 fines and forfeitures under s. 757.05 (2), all moneys received as fee payments under
5 s. 175.35 (2i), and all moneys that revert to this appropriation account from the
6 appropriations under pars. (j), (ja), and (jb) and the appropriations specified in
7 subds. 1. to 16. shall be credited to this appropriation account. Moneys may be
8 transferred from this paragraph to pars. (j), (ja), and (jb) by the secretary of
9 administration for expenditures based upon determinations by the department of
10 justice. The following amounts shall be transferred to the following appropriation
11 accounts:

 ***NOTE: This SECTION involves a change in an appropriation that must be
 reflected in the revised schedule in s. 20.005, stats.

 ***NOTE: This is reconciled s. 20.455 (2) (i) (intro.). This SECTION has been affected
 by drafts with the following LRB numbers: LRB-0329/2 and LRB-1374/1.

12 **SECTION 6.** 20.455 (2) (j) of the statutes is amended to read:

13 20.455 (2) (j) *Law enforcement training fund, local assistance.* The amounts
14 in the schedule to finance local law enforcement training as provided in s. 165.85 (5)
15 (b). All moneys transferred from par. (i) for the purpose of this appropriation shall
16 be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the
17 unencumbered balance on June 30 of each year shall revert to the appropriation
18 account under par. (i).

19 **SECTION 7.** 20.455 (2) (ja) of the statutes is amended to read:

20 20.455 (2) (ja) *Law enforcement training fund, state operations.* The amounts
21 in the schedule to finance state operations associated with the administration of the
22 law enforcement training fund and to finance training for state law enforcement

1 personnel, as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) for
2 the purpose of this appropriation shall be credited to this appropriation.
3 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
4 shall revert to the appropriation account under par. (i).

5 **SECTION 8.** 20.455 (2) (jb) of the statutes is amended to read:

6 20.455 (2) (jb) *Crime laboratory equipment and supplies.* The amounts in the
7 schedule for the maintenance, repair, upgrading, and replacement costs of the
8 laboratory equipment, and for supplies used to maintain, repair, upgrade, and
9 replace that equipment, in the state and regional crime laboratories. All moneys
10 transferred from par. (i) for the purpose of this appropriation shall be credited to this
11 appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on
12 June 30 of each year shall revert to the appropriation account under par. (i).

13 **SECTION 9.** 20.455 (2) (kc) of the statutes is amended to read:

14 20.455 (2) (kc) *Transaction information management of enforcement system.*
15 The amounts in the schedule for payments for a lease with option to purchase
16 regarding computers for the transaction information for the management of
17 enforcement system. All moneys transferred from the appropriation account under
18 par. (i) 1. shall be credited to this appropriation account. Notwithstanding s. 20.001
19 (3) (a), the unencumbered balance on June 30 of each year shall revert to the
20 appropriation account under par. (i).

21 **SECTION 10.** 20.455 (2) (ke) of the statutes is amended to read:

22 20.455 (2) (ke) *Drug enforcement intelligence operations.* The amounts in the
23 schedule for drug enforcement tactical and strategic intelligence units. All moneys
24 transferred from the appropriation account under s. 20.455 (2) (i) 9. shall be credited
25 to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered

1 balance on June 30 of each year shall revert to the appropriation account under par.
2 (i).

3 **SECTION 11.** 20.455 (2) (kp) of the statutes is amended to read:

4 20.455 (2) (kp) *Drug crimes enforcement; local grants.* The amounts in the
5 schedule for grants to local multijurisdictional groups to enforce prohibitions related
6 to controlled substances. All moneys transferred from the appropriation account
7 under s. 20.455 (2) (i) 3. shall be credited to this appropriation account.
8 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
9 shall revert to the appropriation account under par. (i).

10 **SECTION 12.** 20.455 (5) (kp) of the statutes is amended to read:

11 20.455 (5) (kp) *Reimbursement to counties for victim-witness services.* The
12 amounts in the schedule for the purpose of reimbursing counties under s. 950.06 (2)
13 for costs incurred in providing services to victims and witnesses of crime. All moneys
14 transferred from the appropriation account under s. sub. (2) (i) 11. shall be credited
15 to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
16 balance on June 30 of each year shall revert to the appropriation account under sub.
17 (2) (i).

18 **SECTION 13.** 20.505 (1) (kq) of the statutes is amended to read:

19 20.505 (1) (kq) *Justice information systems development, operation and*
20 *maintenance.* The amounts in the schedule for the purpose of developing, operating
21 and maintaining automated justice information systems under s. 16.971 (9). All
22 moneys transferred from the appropriation account under s. 20.455 (2) (i) 12. shall
23 be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
24 unencumbered balance on June 30 of each year shall revert to the appropriation
25 account under s. 20.455 (2) (i).

1 **SECTION 14.** 20.505 (6) (k) of the statutes is amended to read:

2 20.505 (6) (k) *Law enforcement programs and youth diversion —*
3 *administration.* The amounts in the schedule for administering grants for law
4 enforcement assistance and for administering the youth diversion program under s.
5 16.964 (8). All moneys transferred from the appropriation account under s. 20.455
6 (2) (i) 13. shall be credited to this appropriation account. Notwithstanding s. 20.001
7 (3) (a), the unencumbered balance on June 30 of each year shall revert to the
8 appropriation account under s. 20.455 (2) (i).

9 **SECTION 15.** 20.505 (6) (kc) of the statutes is amended to read:

10 20.505 (6) (kc) *Grants for digital recording of custodial interrogations.* The
11 amounts in the schedule for grants to law enforcement agencies under s. 16.964 (10)
12 for equipment or training used to digitally record custodial interrogations. All
13 moneys transferred from the appropriation account under s. 20.455 (2) (i) 16. shall
14 be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
15 unencumbered balance on June 30 of each year shall revert to the appropriation
16 account under s. 20.455 (2) (i).

17 **SECTION 16.** 20.505 (6) (kj) of the statutes is amended to read:

18 20.505 (6) (kj) *Youth diversion program.* The amounts in the schedule for youth
19 diversion services under s. 16.964 (8) (a) and (c). All moneys transferred from the
20 appropriation account under s. 20.455 (2) (i) 8. shall be credited to this appropriation
21 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30
22 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

23 **SECTION 17.** 20.550 (1) (kj) of the statutes is amended to read:

24 20.550 (1) (kj) *Conferences and training.* The amounts in the schedule to
25 sponsor conferences and training under ch. 977. All moneys transferred from the

1 appropriation account under s. 20.455 (2) (i) 15. shall be credited to this
2 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
3 balance on June 30 of each year shall revert to the appropriation account under s.
4 20.455 (2) (i).

5 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0329/4dn
RLR&RPN:bjk:md

FWLj

Date

Leah

Wavrunek

This draft reconciles LRB-0329/²~~3~~, LRB-1281/¹~~1~~ and LRB-1374/¹~~1~~. All of these drafts should continue to appear in the compiled bill.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0329/4dn
RPN:wlj:jf

January 30, 2009

Leah Wavrunek:

This draft reconciles LRB-0329/2, LRB-1281/1, and LRB-1374/1. All of these drafts should continue to appear in the compiled bill.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
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Nelson, Robert P.

From: Wavrunek, Leah J - DOA [Leah.Wavrunek@wisconsin.gov]
Sent: Saturday, February 14, 2009 12:55 PM
To: Nelson, Robert P.
Cc: Kraus, Jennifer - DOA; Steinmetz, Jana D - DOA; Hanaman, Cathlene
Subject: Change to bill

Hello,

My change relates to page 247 of the compile. Section 528 renumbers appropriation 20.455(2)(gr) as 20.455(2)(ky) and funds the appropriation from the newly created criminal justice support fund (20.455(2)(i)). However, all other appropriations funded from 20.455(2)(i) were given language that states all unencumbered balances at the end of the year must revert back to 20.455(2)(i). I think 20.455(2)(ky) should also have this language for consistency.

If this change is made, then on page 247, line 21, the number 16 should be changed to 17 to include 20.455(2)(ky).

I apologize for the confusing nature of this change. Please let me know if you have any questions.

Thanks,
Leah Wavrunek

Leah Wavrunek
State Budget Office
Ph: (608) 267-0370
F: (608) 267-0372
leah.wavrunek@wisconsin.gov

02/16/2009

1 purchase of goods and services under ch. 47 and for the purchase of vocational
2 rehabilitation programs for individuals and organizations, to be expended for the
3 purposes specified. The department shall, in each fiscal year, transfer to the
4 appropriation account under s. 20.435 (7) (kc) \$600,000 of moneys received from the
5 federal social security administration for reimbursement of grants to independent
6 living centers.

7 ***-1374/2.1* SECTION 528.** 20.455 (2) (gr) of the statutes is renumbered 20.455
8 (2) (ky) and amended to read:

9 20.455 (2) (ky) *Handgun purchaser record check.* ~~All moneys received as fee~~
10 ~~payments under s. 175.35 (2i)~~ The amounts in the schedule to provide services under
11 s. 175.35. All moneys transferred from the appropriation account under par. (i) 17.
12 shall be credited to this appropriation account.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

****NOTE: This draft deletes the treatment of s. 20.455 (2) (i) (intro.), which is treated in LRB-0329/2.

13 ***-0329/4.5* SECTION 529.** 20.455 (2) (i) (intro.) of the statutes is amended to
14 read:

15 20.455 (2) (i) ~~Penalty surcharge, receipts~~ Criminal justice program support.
16 (intro.) The amounts in the schedule for the purposes of s. 165.85 (5) (b) and for crime
17 laboratory equipment. All moneys received from the penalty surcharge on court
18 fines and forfeitures under s. 757.05 (2), all moneys received as fee payments under
19 s. 175.35 (2i), and all moneys that revert to this appropriation account from the
20 appropriations under pars. (j), (ja), and (jb) and the appropriations specified in
21 subds. 1. to 16. ¹⁷ shall be credited to this appropriation account. Moneys may be
22 transferred from this paragraph to pars. (j), (ja), and (jb) by the secretary of



2/16
State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0329/4

RLR&RPN:bjk&wlj:jf



DOA:.....Wavrunek, BB0056 - Penalty surcharge appropriations

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

(see p 3)

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10 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

11 **SECTION 3.** 20.410 (1) (kh) of the statutes is amended to read:

12 20.410 (1) (kh) *Victim services and programs.* The amounts in the schedule for
13 the administration of victim services and programs. All moneys transferred from the
14 appropriation account under s. 20.455 (2) (i) 5m. shall be credited to this
15 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
16 balance on June 30 of each year shall revert to the appropriation account under s.
17 20.455 (2) (i).

18 **SECTION 4.** 20.410 (1) (kp) of the statutes is amended to read:

19 20.410 (1) (kp) *Correctional officer training.* The amounts in the schedule to
20 finance correctional officers training under s. 301.28. All moneys transferred from
21 the appropriation account under s. 20.455 (2) (i) 6. shall be credited to this
22 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
23 balance on June 30 of each year shall revert to the appropriation account under s.
24 20.455 (2) (i).

25 **SECTION 5.** 20.455 (2) (i) (intro.) of the statutes is amended to read:

1 20.455 (2) (i) ~~Penalty surcharge, receipts~~ Criminal justice program support.
2 (intro.) The amounts in the schedule for the purposes of s. 165.85 (5) (b) and for crime
3 laboratory equipment. All moneys received from the penalty surcharge on court
4 fines and forfeitures under s. 757.05 (2), all moneys received as fee payments under
5 s. 175.35 (2i), and all moneys that revert to this appropriation account from the
6 appropriations under pars. (j), (ja), and (jb) and the appropriations specified in
7 subds. 1. to 16¹⁷ shall be credited to this appropriation account. Moneys may be
8 transferred from this paragraph to pars. (j), (ja), and (jb) by the secretary of
9 administration for expenditures based upon determinations by the department of
10 justice. The following amounts shall be transferred to the following appropriation
11 accounts:

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

 ***NOTE: This is reconciled s. 20.455 (2) (i) (intro.). This SECTION has been affected by drafts with the following LRB numbers: LRB-0329/2 and LRB-1374/1.

12 **SECTION 6.** 20.455 (2) (j) of the statutes is amended to read:

13 20.455 (2) (j) *Law enforcement training fund, local assistance.* The amounts
14 in the schedule to finance local law enforcement training as provided in s. 165.85 (5)
15 (b). All moneys transferred from par. (i) for the purpose of this appropriation shall
16 be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the
17 unencumbered balance on June 30 of each year shall revert to the appropriation
18 account under par. (i).

19 **SECTION 7.** 20.455 (2) (ja) of the statutes is amended to read:

20 20.455 (2) (ja) *Law enforcement training fund, state operations.* The amounts
21 in the schedule to finance state operations associated with the administration of the
22 law enforcement training fund and to finance training for state law enforcement

1 personnel, as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) for
2 the purpose of this appropriation shall be credited to this appropriation.
3 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
4 shall revert to the appropriation account under par. (i).

5 **SECTION 8.** 20.455 (2) (jb) of the statutes is amended to read:

6 20.455 (2) (jb) *Crime laboratory equipment and supplies.* The amounts in the
7 schedule for the maintenance, repair, upgrading, and replacement costs of the
8 laboratory equipment, and for supplies used to maintain, repair, upgrade, and
9 replace that equipment, in the state and regional crime laboratories. All moneys
10 transferred from par. (i) for the purpose of this appropriation shall be credited to this
11 appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on
12 June 30 of each year shall revert to the appropriation account under par. (i).

13 **SECTION 9.** 20.455 (2) (kc) of the statutes is amended to read:

14 20.455 (2) (kc) *Transaction information management of enforcement system.*
15 The amounts in the schedule for payments for a lease with option to purchase
16 regarding computers for the transaction information for the management of
17 enforcement system. All moneys transferred from the appropriation account under
18 par. (i) 1. shall be credited to this appropriation account. Notwithstanding s. 20.001
19 (3) (a), the unencumbered balance on June 30 of each year shall revert to the
20 appropriation account under par. (i).

21 **SECTION 10.** 20.455 (2) (ke) of the statutes is amended to read:

22 20.455 (2) (ke) *Drug enforcement intelligence operations.* The amounts in the
23 schedule for drug enforcement tactical and strategic intelligence units. All moneys
24 transferred from the appropriation account under s. 20.455 (2) (i) 9. shall be credited
25 to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered

1 balance on June 30 of each year shall revert to the appropriation account under par.
2 (i).

3 **SECTION 11.** 20.455 (2) (kp) of the statutes is amended to read:

4 20.455 (2) (kp) *Drug crimes enforcement; local grants.* The amounts in the
5 schedule for grants to local multijurisdictional groups to enforce prohibitions related
6 to controlled substances. All moneys transferred from the appropriation account
7 under s. 20.455 (2) (i) 3. shall be credited to this appropriation account.
8 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
9 shall revert to the appropriation account under par. (i).

10 **SECTION 12.** 20.455 (5) (kp) of the statutes is amended to read:

11 20.455 (5) (kp) *Reimbursement to counties for victim-witness services.* The
12 amounts in the schedule for the purpose of reimbursing counties under s. 950.06 (2)
13 for costs incurred in providing services to victims and witnesses of crime. All moneys
14 transferred from the appropriation account under s. sub. (2) (i) 11. shall be credited
15 to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
16 balance on June 30 of each year shall revert to the appropriation account under sub.
17 (2) (i).

18 **SECTION 13.** 20.505 (1) (kq) of the statutes is amended to read:

19 20.505 (1) (kq) *Justice information systems development, operation and*
20 *maintenance.* The amounts in the schedule for the purpose of developing, operating
21 and maintaining automated justice information systems under s. 16.971 (9). All
22 moneys transferred from the appropriation account under s. 20.455 (2) (i) 12. shall
23 be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
24 unencumbered balance on June 30 of each year shall revert to the appropriation
25 account under s. 20.455 (2) (i).

SECTION 14. 20.505 (6) (k) of the statutes is amended to read:

20.505 (6) (k) *Law enforcement programs and youth diversion — administration.* The amounts in the schedule for administering grants for law enforcement assistance and for administering the youth diversion program under s. 16.964 (8). All moneys transferred from the appropriation account under s. 20.455 (2) (i) 13. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

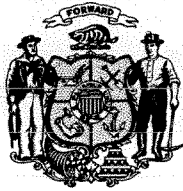
SECTION 15. 20.505 (6) (kj) of the statutes is amended to read:

20.505 (6) (kj) *Youth diversion program.* The amounts in the schedule for youth diversion services under s. 16.964 (8) (a) and (c). All moneys transferred from the appropriation account under s. 20.455 (2) (i) 8. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

SECTION 16. 20.550 (1) (kj) of the statutes is amended to read:

20.550 (1) (kj) *Conferences and training.* The amounts in the schedule to sponsor conferences and training under ch. 977. All moneys transferred from the appropriation account under s. 20.455 (2) (i) 15. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

(END)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0329/5
RLR&RPN:bjk&wlj:md

DOA:.....Wavrunek, BB0056 - Penalty surcharge appropriations
FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

CRIMES

LAW ENFORCEMENT

Under current law, people who are fined or subject to a forfeiture for violating a state law or local ordinance generally must also pay a surcharge equal to 26 percent of the fine or forfeiture. Current law appropriates receipts from the surcharge to an appropriation account for DOJ, and transfers specified amounts from that account to fund various programs.

This bill provides that any money that is transferred from the penalty surcharge receipts appropriation account and that remains unencumbered at the end of a fiscal year shall revert back to the penalty surcharge receipts appropriation account.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 20.255 (1) (kd) of the statutes is amended to read:

3 20.255 (1) (kd) *Alcohol and other drug abuse program.* The amounts in the
4 schedule for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3). All

1 moneys transferred from the appropriation account under s. 20.455 (2) (i) 4. shall be
2 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
3 unencumbered balance on June 30 of each year shall revert to the appropriation
4 account under s. 20.455 (2) (i).

5 **SECTION 2.** 20.255 (2) (kd) of the statutes is amended to read:

6 20.255 (2) (kd) *Aid for alcohol and other drug abuse programs.* The amounts
7 in the schedule for the purpose of s. 115.36 (3). All moneys transferred from the
8 appropriation account under s. 20.455 (2) (i) 5. shall be credited to this appropriation
9 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30
10 of each year shall revert to the appropriation account under s. 20.455 (2) (i).

11 **SECTION 3.** 20.410 (1) (kh) of the statutes is amended to read:

12 20.410 (1) (kh) *Victim services and programs.* The amounts in the schedule for
13 the administration of victim services and programs. All moneys transferred from the
14 appropriation account under s. 20.455 (2) (i) 5m. shall be credited to this
15 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
16 balance on June 30 of each year shall revert to the appropriation account under s.
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21 the appropriation account under s. 20.455 (2) (i) 6. shall be credited to this
22 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
23 balance on June 30 of each year shall revert to the appropriation account under s.
24 20.455 (2) (i).

25 **SECTION 5.** 20.455 (2) (i) (intro.) of the statutes is amended to read:

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6 appropriations under pars. (j), (ja), and (jb) and the appropriations specified in
7 subds. 1. to 17. shall be credited to this appropriation account. Moneys may be
8 transferred from this paragraph to pars. (j), (ja), and (jb) by the secretary of
9 administration for expenditures based upon determinations by the department of
10 justice. The following amounts shall be transferred to the following appropriation
11 accounts:

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

 ***NOTE: This is reconciled s. 20.455 (2) (i) (intro.). This SECTION has been affected by drafts with the following LRB numbers: LRB-0329/2 and LRB-1374/1.

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1 personnel, as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) for
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9 replace that equipment, in the state and regional crime laboratories. All moneys
10 transferred from par. (i) for the purpose of this appropriation shall be credited to this
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14 20.455 (2) (kc) *Transaction information management of enforcement system.*
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1 balance on June 30 of each year shall revert to the appropriation account under par.
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3 **SECTION 11.** 20.455 (2) (kp) of the statutes is amended to read:

4 20.455 (2) (kp) *Drug crimes enforcement; local grants.* The amounts in the
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25 account under s. 20.455 (2) (i).

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(END)